



PINE HILL SCHOOLS

Ramah Navajo School Board, Inc.

PO Box 220

Pine Hill, New Mexico 87357-1220

(505) 775-3242, 3243, 3244, 3245

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www.phwarriors.cc/home.aspx



Letter of Appeal - Request for Review CC Docket No. 02-6

Attn: Marlene H. Dorch, Secretary
Federal Communications Commission
Office of the Secretary
9300 East Hampton Dr
Capitol Heights, MD 20743

Decision Document: Administrator's Decision on Appeal – Funding Year 2009-2010

Decision Date: 5/17/2013

Funding Year: 12 (2009-2010)

BEN: 99176

471 #: 688488

FRN: 1888828

SPIN: CamNet, Inc. 143017447

Entity Information:

Pine Hill School
BIA Route 125, PO BOX 220
Pine Hill, NM 87357
Contact: Jon Jon Escala
Email: jon@rnsb.k12.nm.us
Telephone: (505) 775-3242
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Administrators Decision Date: 5/17/2013

Explanation: FCC Rules related to the payment of support for discounted services establish deadlines for service providers to deliver services/products to the applicant. The FCC provides an extension of this deadline under certain conditions. Those conditions are documented in the Reference area on the USAC website. (See Service Delivery Deadlines and Extension Requests for more information). In accordance with FCC Report and Order (FCC 01-195) released on June 29, 2001, in order to provide additional time to implement contracts or agreements with service providers for non-recurring services, applicants must submit documentation to the Administrator requesting relief on or before the original non-recurring services deadline.

Your appeal has not brought forth clear in foundation establishing that application for relief was made prior to this deadline. Therefore, your appeal is denied

Pine Hill School would like to request an appeal of this decision as the implementation of the Internal Connections project for Erate was delayed for circumstances beyond our and our Service Providers control.

Our school applied for Funding for the Erate year 12 (2009-2010), intending to use the funds to re-cable our Elementary School building # 803 following a planned renovation of the building. During the course of this renovation it became apparent that building was in drastically worse shape than we had known. After extensive tests and consultation with the engineers it was determined that the building should either be condemned or have a far more extensive renovation than we had anticipated. It took quite some time to make a decision due to following the proper steps and board meetings but the school decided to essentially gut the building and do a complete renovation. This meant that we had to re-bid the project, hire new contractors and schedule the work. The additional work significantly pushed back our expected project completion date from 2011 to 2013. The construction phase of the renovation was not completed until late December of 2012 and we are now close to getting the building ready to hold classes again. The cabling is one of the last pieces that needs to get done.

This is why there was such an extensive delay in our being able to utilize these funds. On 1/11/2013 we submitted a Contract Extension Request and an Invoice Deadline Extension Request which was before our last day to invoice expiration of 1/30/2013. These extension requests were based on:

The applicant or service provider requested an extension because the service provider was unable to complete delivery and installation for reasons beyond the service provider's control.

<http://www.usac.org/sl/applicants/before-youre-done/delivery-extension.aspx>

It was our understanding that is an acceptable need based on USACs guidelines and because this request was granted the first time extending our contract out over two years to allow for the renovation. The Contract Extension Deadline was approved very quickly and our service provider, CamNet, Inc, came immediately to complete the work in our newly remodeled and safe building. It was a shock to see that USAC approved the Contract Extension giving our school the peace of mind that we could have this work completed and then turning around and taking away the funding leaving us in a very difficult position. Especially as our Invoice Extension Request was based on USAC's allowable reason that it was out of our service providers control to complete the installation until the building renovation was complete and it was safe for them to enter and do the work.

We request that the invoice deadline extension for this funding request be approved due to the unusual circumstances which were out of our control or that of the contractors. Please allow for us to utilize these much needed funds already approved for our school pay for the completed cabling work allotted to School building #308. Use of this building is critical to our school and students.

Thank you for your time and consideration.
Sincerely,



Jon-Jon Escala
IT Director
Pine Hill School



Berdina Tsosie
Superintendent
Pine Hill School

Enc.

Pages 4 – 9 below show documented historical dates and payments that were associated with the renovation.

Ramah Navajo School Board, Inc.

Standard General Ledger

1001 - BIE Educ GTM75X00101

147 - OFMC ARRA Fund

From 1/1/2012 Through 7/16/2013

Account Code	Account Title	Document Number	Effective Date	Transaction Description	Name	Debit	Credit
670	Professional Services			Opening Balance		0.00	
		054823	3/6/2013	Closeout Payment to Rock Gap Engine...	Rock Gap Engine...	32,200.00	
		055862	5/24/2013	Final payment for Regency Labor for Ji...	US Department of...	1,218.00	
				Transaction Total		33,418.00	0.00
Balance 670	Professional Services					33,418.00	
672	Prof/Legal Services			Opening Balance		0.00	
		JV7000705	12/31/2012	JV to record FY2012 Mike Gross Legal ...		471.90	
		JV7000705	12/31/2012	JV to record FY2012 Mike Gross legal ...		1,696.50	
		JV8000750	12/31/2012	JV to record FY2012 Mike Gross Legal ...		6,591.00	
		JV800075001	12/31/2012	JV to record FY2012 Mike Gross Legal ...		136.50	
		115435	12/31/2012	Payment - Pine Hill School	Native American S...	47,535.64	
				Transaction Total		56,431.54	0.00
Balance 672	Prof/Legal Services					56,431.54	
675	Prof/Construction Servi...			Opening Balance		0.00	
		000006	1/3/2012	Application #01 Bldg 803 ARRA Project	Regency Develop...	318,617.88	
		000006	1/3/2012	Application #01 Bldg 803 ARRA Project	Regency Develop...		318,617.88
		006162	1/5/2012	Application #01 Bldg 803	Regency Develop...	318,617.88	
		App1	1/5/2012	Regency Development - Application #1	Regency Develop...	35,401.99	
		006455A	1/31/2012	Payment Applic#2	Regency Develop...	330,182.54	
		App2	1/31/2012	Regency Development - Application #2	Regency Develop...	14,804.27	
		001	3/12/2012	Corr Acct# for pymt of App #3 for AR...		126,814.00	
		001	4/3/2012	Correct acct# for pymt of app#4 for A...		50,206.25	
		002	4/11/2012	Correct acct# for pymt of app#4 for A...		133,533.92	
		002	6/20/2012	Correct JV120620 to FY-10		182,538.95	
		051570	6/21/2012	Payment for Application #5	Regency Develop...	120,388.55	
		002	7/6/2012	Reallocate 100k to Prog 147		100,000.00	
		002	7/6/2012	Correct CDS071208 to FY-10		110,138.62	
		App2	8/17/2012	Regency Development	Regency Develop...		14,804.27
		App1	8/17/2012	Regency Development	Regency Develop...		35,401.99
		053093	10/18/2012	Payment - Invoice #1689	Unlimited Power ...	25,774.39	
		053629	12/6/2012	Professional Service	Greenwood, Lee	1,880.00	
		053630	12/7/2012	Unlimited Pmt	Unlimited Power ...	32,500.00	
		053717	12/13/2012	Weekly Service - Project Management ...	Greenwood, Lee		2,161.90
		053717	12/13/2012	Weekly Service - Project Management ...	Greenwood, Lee	2,161.90	
		053717	12/13/2012	Weekly Service - Project Management ...	Greenwood, Lee	2,161.90	

Ramah Navajo School Board, Inc.

Standard General Ledger

1001 - BIE Educ GTM75X00101

147 - OFMC ARRA Fund

From 1/1/2012 Through 7/16/2013

Account Code	Account Title	Document Number	Effective Date	Transaction Description	Name	Debit	Credit
		053855	12/20/2012	Payment for Invoice #1689	Unlimited Power ...	20,280.79	
		12242012	12/24/2012	ICA Payment - Service for week of 12/...	Greenwood, Lee	1,480.00	
		12R2	12/27/2012	Pine Hill School - Final Bill	Native American S...	40,375.67	
		006	12/27/2012	ICA Payment - Application #006	Unlimited Power ...	29,664.88	
				Transaction Total		1,997,524.38	370,986.04
Balance 675	Prof/Construction Servi...					1,626,538.34	
677	Architect & Engineer S...			Opening Balance		0.00	
		6525	2/7/2012	February Checks	Tansey, John	9,188.87	
		6525	2/7/2012	February Checks	Tansey, John		9,188.87
		006521	2/7/2012	Feb-Checks	Tansey, John	9,188.87	
		01	4/17/2012	John Tansey acct was charged to right...		5,920.99	
		01	4/17/2012	John Tansey acct was charged to right...		5,920.99	
		01	4/17/2012	John Tansey acct was charged to right...			5,920.99
		RGE2012171	8/16/2012	Credit Rock Gap	Rock Gap Engine...		3,741.36
		RGE2012170	8/16/2012	Credit Rock Gap	Rock Gap Engine...		25,565.63
		RGE2012170	8/16/2012	Construction Administration - Pine Hill ...	Rock Gap Engine...	25,565.63	
		RGE2012171	8/16/2012	Construction Administration: Additiona...	Rock Gap Engine...	3,741.36	
		RGE2012171	8/17/2012	Rock Gap	Rock Gap Engine...		3,741.36
		RGE2012171	8/17/2012	Rock Gap	Rock Gap Engine...	3,741.36	
		053853	12/20/2012	Payment for Invoice #12-1201	Tansey, John	3,569.24	
				Transaction Total		66,837.31	48,158.21
Balance 677	Architect & Engineer S...					18,679.10	
				Transaction Total		0.00	0.00
					Balance 147 - OFMC ARRA Fund	1,735,066.98	
				Transaction Total		0.00	0.00
					Balance 1001 - BIE Educ GTM75X00101	1,735,066.98	

Ramah Navajo School Board, Inc.

Standard General Ledger

1002 - BIE Educ GTM75X00105

147 - OFMC ARRA Fund

From 1/1/2012 Through 7/16/2013

Account Code	Account Title	Document Number	Effective Date	Transaction Description	Name	Debit	Credit
675	Prof/Construction Servi...			Opening Balance		0.00	
		002	6/20/2012	Reallocate Ck 051558 to Prog 147		182,538.95	
		001	6/20/2012	Reverse JV120620			182,538.95
		002	6/20/2012	Reallocate Ck 051558 to Prog 147			182,538.95
		002	6/20/2012	Reallocate Ck 051558 to Prog 147		182,538.95	
		001	7/6/2012	Reverse CDS071208 from FY-11			110,138.62
		051758	7/6/2012	Payment for Application #6	Regency Develop...	110,138.62	
		051758	7/6/2012	Payment for Application #6	Regency Develop...	110,138.62	
		051758	7/6/2012	Payment for Application #6	Regency Develop...		110,138.62
				Transaction Total		585,355.14	585,355.14
Balance 675	Prof/Construction Servi...					0.00	
				Transaction Total		0.00	0.00
					Balance 147 - OFMC ARRA Fund	0.00	

Ramah Navajo School Board, Inc.

Standard General Ledger

1002 - BIE Educ GTM75X00105

148 - NON ARRA - 803 Renovation

From 1/1/2012 Through 7/16/2013

Account Code	Account Title	Document Number	Effective Date	Transaction Description	Name	Debit	Credit
666	Purchased Services/Ba...			Opening Balance		0.00	
		001	1/17/2012	Int/Serv Fee		70.22	
		001	2/29/2012	Int/Serv Fee		70.91	
		JV1002149	3/31/2012	Correct erroneous Fund 5 posting		313.01	
		JV1002149	3/31/2012	Correct erroneous Fund 5 posting			313.01
		001	3/31/2012	Int/Serv Fee		171.88	
				Transaction Total		626.02	313.01
Balance 666	Purchased Services/Ba...					313.01	
675	Prof/Construction Servi...			Opening Balance		0.00	
		App#1	2/29/2012	Regency Development Group	Regency Develop...	376,444.00	
		000002	2/29/2012	Payment - Application # 1 - Non Arra	Regency Develop...	715,236.00	
		App#1	2/29/2012	Regency Development Group	Regency Develop...		376,444.00
		Appl#1	2/29/2012	Regency Development Group Inc. - Ap...	Regency Develop...	37,644.00	
		001	3/12/2012	Corr Acct# for pymt of App #3 for AR...			126,814.00
		050097	3/12/2012	Payment for Application #3	Regency Develop...	126,814.00	
		002	3/22/2012	Cor acct# for pymt of app #2 for non...			359,289.00
		002	3/22/2012	Cor acct# for pymt of app #2 for non...		359,289.00	
		050299	3/22/2012	Payment - Application #2	Regency Develop...	359,289.00	
		001	4/3/2012	Correct acct# for pymt of app#4 for A...			50,206.25
		050428	4/3/2012	Payment - Application #4	Regency Develop...	50,206.25	
		050578	4/11/2012	Payment - Application #4	Regency Develop...	133,533.92	
		002	4/11/2012	Correct acct# for pymt of app#4 for A...			133,533.92
		App#3	4/17/2012	Regency Development Group	Regency Develop...	46,550.15	
		050642	4/17/2012	Non ARRA Portion-Application #3	Regency Develop...	257,947.85	
		051558	6/20/2012	Payment for Application 4	Regency Develop...	182,538.95	
		001	6/20/2012	Reverse Ck 051558			182,538.95
		App#4	6/20/2012	Regency Development Group	Regency Develop...	9,159.00	
		051758	7/6/2012	Payment for Application #6	Regency Develop...		110,138.62
		app#6	7/6/2012	Regency Development - Application#6	Regency Develop...	100,000.00	
		051758	7/6/2012	Payment for Application #6	Regency Develop...	110,138.62	
		001	7/6/2012	Reverse 100k from Prog 148			100,000.00
		001	8/10/2012	Reverse \$442.71 from Ck 052105 to I...			442.71
		001	8/10/2012	Reverse \$88k from Ck 052105 to IDC ...			88,000.00
		052105	8/10/2012	Building 803 change orders	Unlimited Power ...	188,442.71	
		App#4	8/17/2012	Regency Development	Regency Develop...		9,159.00
		Appl#1	8/17/2012	Regency Development	Regency Develop...		37,644.00
		app#6	8/17/2012	Regency Development	Regency Develop...		100,000.00

Ramah Navajo School Board, Inc.

Standard General Ledger

1002 - BIE Educ GTM75X00105

148 - NON ARRA - 803 Renovation

From 1/1/2012 Through 7/16/2013

Account Code	Account Title	Document Number	Effective Date	Transaction Description	Name	Debit	Credit
		App#3	8/17/2012	Regency Development	Regency Develop...		46,550.15
		052356	8/23/2012	Unlimited Power & Communication	Unlimited Power ...	81,432.00	
		052514	9/11/2012	Payment for Application #002	Unlimited Power ...	98,200.00	
		052911	10/5/2012	Payment for Application #3	Unlimited Power ...	61,350.00	
		053134	10/24/2012	Payment for Invoice #004	Unlimited Power ...	34,883.28	
		053134	10/24/2012	Payment for Invoice #004	Unlimited Power ...		34,883.28
		053156	10/25/2012	Payment for Invoice #4	Unlimited Power ...	38,175.00	
		16663	12/30/2012	Payment for week of 12/30-1/05/2013	Greenwood, Lee	1,040.00	
		054129	1/11/2013	ICA Payment for 1/7 - 11/2013	Greenwood, Lee	2,031.46	
		054171	1/15/2013	Invoice #1693 - Contract #001	Unlimited Power ...	27,175.00	
		054369	1/31/2013	Payment for service on 1/13/2013	Greenwood, Lee	1,532.12	
				Transaction Total		<u>3,399,052.31</u>	<u>1,755,643.88</u>
Balance 675	Prof/Construction Servi...					1,643,408.43	
677	Architect & Engineer S...			Opening Balance		0.00	
		006330	1/19/2012	Inv12-0101	Tansey, John	7,597.90	
		050098	3/12/2012	Architectural Services - Invoice # 12-0...	Tansey, John	1,412.85	
		JV1002150	3/12/2012	Correct erroneous Fund 5 posting			9,010.75
		JV1002150	3/12/2012	Correct erroneous Fund 5 posting		9,010.75	
		050128	3/14/2012	Invoice#12-0201 for Architectural Ser...	Tansey, John	14,116.50	
		050300	3/22/2012	Payment - Inv#12-0302	Tansey, John	13,747.44	
		050430	4/3/2012	Payment - Invoice #12-0303	Tansey, John	7,806.68	
		01	4/17/2012	John Tansey acct was charged to right...			5,920.99
		01	4/17/2012	John Tansey acct was charged to right...		5,920.99	
		01	4/17/2012	John Tansey acct was charged to right...			5,920.99
		050643	4/17/2012	Payment for Invoice #12-0401	Tansey, John	5,920.99	
		051128	5/18/2012	Invoice #12-0501 for Architectural Ser...	Tansey, John	4,061.12	
		051452	6/12/2012	Payment for Invoice #12-0502	Tansey, John	4,812.50	
		051698	6/29/2012	Payment for Invoice #12-0601	Tansey, John	4,375.00	
		051982	7/31/2012	Payment for Invoice #12-0701	Tansey, John	5,750.00	
		052508	9/10/2012	Invoice #12-0801	Tansey, John	5,625.00	
		053521	11/29/2012	Payment for Invoice #12-1101	Tansey, John	8,305.76	
				Transaction Total		<u>98,463.48</u>	<u>20,852.73</u>
Balance 677	Architect & Engineer S...					77,610.75	
691	Indirect Costs			Opening Balance		0.00	
		JV1002148	6/30/2012	Correct IDC Chrg to Wrong GL		3,316.91	

Ramah Navajo School Board, Inc.

Standard General Ledger

1002 - BIE Educ GTM75X00105

148 - NON ARRA - 803 Renovation

From 1/1/2012 Through 7/16/2013

Account Code	Account Title	Document Number	Effective Date	Transaction Description	Name	Debit	Credit
				Transaction Total		3,316.91	0.00
Balance 691	Indirect Costs					3,316.91	
695	Contingency			Opening Balance		0.00	
		JV1002148	6/30/2012	Correct IDC Chrg to Wrong GL			3,316.91
		001	6/30/2012	Record IDC Charge for 803 Renovation		3,316.91	
				Transaction Total		3,316.91	3,316.91
Balance 695	Contingency					0.00	
				Transaction Total		0.00	0.00
					Balance 148 - NON ARRA - 803 Renovation	1,724,649.10	
				Transaction Total		0.00	0.00
					Balance 1002 - BIE Educ GTM75X00105	1,724,649.10	
				Transaction Total		0.00	0.00
Report Opening/Current Balance						0.00	0.00
Report Transaction Totals						6,244,342.00	2,784,625.92
Report Current Balances						6,244,342.00	2,784,625.92
Report Difference						3,459,716.08	